

SUPERIOR COURT OF NEWTON COUNTY
STATE OF GEORGIA

STATE FARM FIRE AND CASUALTY
COMPANY a/s/o DOUGLAS SHARP,

Plaintiff,

v.

DELL TECHNOLOGIES INC., AND
NEWTON COUNTY SCHOOL SYSTEM

Defendants.

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CIVIL ACTION FILE NO.:
SUCV-2022-000734


 Linda D. Hays, Clerk
 Newton County, Georgia

MOTION FOR JUDGMENT ON THE PLEADINGS¹ ON BEHALF OF
DEFENDANT NEWTON COUNTY SCHOOL SYSTEM²

Defendant Newton County School District, for the reasons stated in the accompanying supporting brief and for other good and sufficient cause, files this Motion for Judgment on the Pleadings, pursuant to O.C.G.A. § 9-11-12(c), on the grounds that Plaintiff's claims against the School District are barred by the doctrine of sovereign immunity, as more fully explained in Defendant Newton County School District's Brief in Support of this Motion.

Respectfully submitted, this 20th day of June, 2022.

HARBEN, HARTLEY & HAWKINS, LLP

/s/ Hieu M. Nguyen

Hieu M. Nguyen
 Georgia Bar No. 382526
 Aparesh Paul
 Georgia Bar No. 362648

¹ This Motion is filed by *special appearance* and this Defendant does not waive the right to raise defenses regarding personal jurisdiction, improper service or any other procedural defenses.

² The Newton County School System is not a proper party capable of being sued. By filing this Motion, this Defendant is not waiving the right to assert that the "Newton County School System" is not a proper party capable of being sued. The proper party is the Newton County School District, and this Defendant will refer throughout this Motion to Defendant "Newton County School District."

ATTORNEYS FOR DEFENDANT NEWTON
COUNTY SCHOOL DISTRICT

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CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that he has this date electronically filed the *Defendant Newton County School District's Motion for Judgment on the Pleadings* with the Clerk of the Court using the e-filing system, which will automatically send notification of such filing to the attorney(s) of record.

This 20th day of June, 2022.

HARBEN, HARTLEY & HAWKINS, LLP

/s/ Hieu M. Nguyen

Hieu M. Nguyen
Georgia Bar No. 382526

ATTORNEY FOR DEFENDANT NEWTON COUNTY
SCHOOL DISTRICT

Gateway Professional Center
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IN THE SUPERIOR COURT OF NEWTON COUNTY
STATE OF GEORGIA

STATE FARM FIRE AND CASUALTY
COMPANY a/s/o CENIE TRAMMELL,

Plaintiff,

v.

DELL TECHNOLOGIES INC., AND
NEWTON COUNTY SCHOOL SYSTEM

Defendants.

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CIVIL ACTION FILE NO.:
SUCV-2022-000709


 Linda D. Hays, Clerk
 Newton County, Georgia

CONSENT MOTION TO DISMISS DEFENDANT
NEWTON COUNTY SCHOOL SYSTEM WITH PREJUDICE

Plaintiff and Defendant Newton County School System, with the consent of the remaining Defendant, move to dismiss Defendant Newton County School System with prejudice, pursuant to O.C.G.A. § 9-11-21. Plaintiff's claims against the remaining Defendant shall remain pending and shall not be affected by this dismissal. This dismissal does not affect any other obligations of the other Defendant to this action. A proposed Order is attached hereto.

This 27th day of October, 2022.

HARBEN, HARTLEY & HAWKINS, LLP

/s/ Hieu M. Nguyen

Hieu M. Nguyen
Georgia Bar No.: 382526

ATTORNEY FOR DEFENDANT
NEWTON COUNTY SCHOOL SYSTEM

Consented To:

MILLER INSURANCE LAW ENTERPRISE

/s/ Eric D. Miller

Eric D. Miller, Esq.
Georgia Bar No. 506574
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MCLAUGHLIN LAW FIRM

/s/Charles R. Beans

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**IN THE SUPERIOR COURT OF NEWTON COUNTY
STATE OF GEORGIA**

STATE FARM FIRE AND CASUALTY
COMPANY a/s/o CENIE TRAMMELL,

Plaintiff,

v.

DELL TECHNOLOGIES INC., AND
NEWTON COUNTY SCHOOL SYSTEM

Defendants.

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CIVIL ACTION FILE NO.:
SUCV-2022-000709

CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that he has this date electronically filed the *Consent Motion to Dismiss Defendant Newton County School System With Prejudice* with the Clerk of the Court using the e-filing system, which will automatically send notification of such filing to the attorney(s) of record.

This 27th day of October, 2022.

HARBEN, HARTLEY & HAWKINS, LLP

/s/ Hieu M. Nguyen

Hieu M. Nguyen

Georgia Bar No. 382526

FOR DEFENDANT NEWTON COUNTY
SCHOOL SYSTEM

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